IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 20843 of 2004

Between:

1 Siddana Narsimhulu S/o Penchala Reddy
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
2 Kaluvai Chinnaiah S/o Narsaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
3 Kaluvai Venkata Narsaiah S/o Chinna Penchalaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
4 Manneti Venkata Subbaiah S/o Venkata Subbaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
5 Chilamakuru Chinnaiah S/o Chinnaabbai
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
6 Manneti Chinna Venkata Subbaiah S/o Subbaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
7 Mallu Venkata Reddy S/o Venkatrami Reddy
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
8 Jammana Lakshmma W/o Venkataiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
9 Mallu Narasimha Reddy, S/o.Venkatamaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
10 Darsi Gurraiah S/o Pedda Venkataiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
11 Budigi Subbamma W/o Pedda Subbanna
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
12 Budigi Yanada Reddy S/o Pedda Rosaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
13 Nutheti Venkataiah S/o Penchalaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
14 Siddanna Penchalaiah S/o Narsaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
15 Surepally Naramma W/o Penchalaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
16 Perumallu Narasimhulu S/o Yellaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
17 Perumalla Chinna Narasaiah, S/o Yellaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District
18 Kaluvai Penchalaiah S/o Narasaiah

R/o Somasila (Village), Anantasagaram Mandal, Nellore District

19 Siddanna Polireddy S/o Rosaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

20 Perumalla Penchalaiah S/o Yellaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

21 Perumalla Chinna Penchalaiah S/o Yellaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

22 Nutheti Rosamma W/o Gangaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

23 Lanka Ramireddy S/o Mallaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

24 Siddanna Chinna Kondaiah S/o Rosireddy

R/o Somasila (Village), Anantasagaram Mandal, Nellore District

25 Bukkayapalli Narasimhulu S/o Narasaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

26 Siddanna Subbarayudu S/o Subbaramaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

27 Lanka Yandaiah S/o Mallaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

28 Jammana Jayaramaiah S/o Subbaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

29 Pallam Ramaiah S/o Yellaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

30 Jammana Venkataiah S/o Kondaiah
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

31 Thathireddy Gangireddy, S/o.Thirupalreddy (died)his L.R. Venkata

Reddy (Son), R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.

32 Nallagondu Arem Kondareddy, S/o.Pitchireddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

33 Bovilla Ramaiah, S/o.Chinnaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

34 Palle Naramma, W/o.Bheemaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

35 Madu Chinnakka, W/o.Venkata Subbaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

36 Siddanna Venkata Subbaiah, S/o.Penchalaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

37 Siddanna Penchalaiah, S/o.Penchalaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

38 Bellam Venkata Subbaiah, S/o.Nagaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

39 Mallu Sarojamma, W/o.Penchal Reddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

40 Mallu Narasimha Reddy, S/o.Lakshmaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

41 Narike Chinna Penchalaiah, S/o.Chinna Penchalaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

42 Mallu Penchala Reddy, S/o.Narasaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

43 Uppeti Rosamma, W/o.Gangaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

44 Korivi Radhakrishna Murthy, S/o.Rambontlu,

R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
45 Obulasetty Mangamma, W/o.Veeraiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
46 Chilamkuri Obulamma
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
47 Ponnapalli Lakshmaiah, S/o.Venkata Narsaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
48 Mallu Chinnapareddy (L.R.Son)L.R. of S/o.M.Penchal Reddy (Died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
49 Goru Prameelamma (L.R. wife) L.R. & W/o.G.Subbareddy (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
50 Gurrampati Venkataramana Reddy (L.R. son)L.R. & S/o.G.Chinna

Thirupal Reddy, R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.
51 Gurrampati Bhaskar Reddy (L.R.Son) L.R. of S/o.Pedda

Thirupalreddy (died) R/o Somasila (Village), Anantasagaram

Mandal, Nellore District.
52 Mallu Ramulamma (L.R.Sister) L.R of Lanka Adamma (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
53 Chilamakuru Chinnakka (L.R.wife) L.R. & W/o.Subbamma(died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

54 Chilamakuru Chinnakka (L.R.wife) L.R. & W/o.Ch.Pedda

Yanadaiah (died) R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.
55 Nijamani Thiripalu (L.R. Grand Son-in-law) L.R. of Bovilla

Rosamma (died) R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.
56 Chilamakuru Ramaiah (L.R.Son) L.R. & S/o.Ch.Yerikalaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
57 Banala Lakshmma (L.R.Wife) L.R. % W/o.B.Murthaiah (died),
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
58 Mallu Penchlareddy (L.R. & S/o.M..Venkata Narsareddy (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
59 Bukkayapalli Venkata Narasaiah (L.R.Son) L.R. & S/o.B.Subba

Narsaiah (died) R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.
60 Perumalla Narasimhulu (L.R.Son) L.R. & S/o.P.Gangaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
61 Kaluvai Santhamma (L.R.Wife) L.R. & W/o.K.Santaiah(died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
62 Goru Narayanamma (L.R. Daugher-in-Law), L.R. of Goru

Venkataiah, R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.
63 Kaluvai Pitchaiah (L.R.Son) L.R. & W/o.K.Penchalaiah(died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

64 Kaluvai Chinnaiah (L.R.Son)L.R. & S/o.Pedda Narasaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
65 Kaluvai Pitchaiah S/o.Penchalaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
66 Kaluvai Yerikalaiah (L.R.Son) L.R.of Surepalli Karraiah(died
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
67 Kaluvai Rosaiah (L.R.Son) L.R. & S/o.K.Rosamma (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
68 Kaluvai Yandaiah (L.R.Son)L.R. & S/o.K.Atchamma (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
69 Thapeta Obaiah (L.R.Son) L.R.& S/o. T.Yandaiah(died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
70 Perumalla Yallaiah (L.R.Son)L.R. & S/o.P.Karraiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
71 Poluboyina Yandaiah (L.R.Son)L.R. & S/o.P.Narsimhulu (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
72 S. Sreenivasulureddy (L.R.Son)L.R. & S/o.S.Pedda Kondareddy

(died) R/o Somasila (Village), Anantasagaram Mandal, Nellore

District.
73 Perumalla Chinnaiah (L.R.Son)L.R. & S/o.Chinna Narasaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
74 Kondareddy Lakshmma (L.R.Son)L.R. & W/o.Jammane Kondaiah

(died) R/o Somasila (Village), Anantasagaram Mandal, Nellore

District.
75 Siddanna Venkataiah(L.R.Son)L.R. & S/o.S.Subbaramaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
76 Bramhadevi Narasamma (L.R.Son)L.R. & W/o.B.Mugaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
77 Bramhadevi Sankaraiah (L.R.Son)L.R. & S/o.B.Chinnaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
78 Bramhadevi Subbamma (L.R.Wife)L.R. & W/o.B.Subbaiah, (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
79 Siddanna Naramma (L.R.Wife)L.R. & W/o.Venkataiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
80 Banda Kondaiah(L.R.Son)L.R. & W/o.B.Venkaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

81 Nutheti Narasamma (L.R.Son)L.R. & W/o.Yandaiah L.R. of

B.Penchalamma(died) R/o Somasila (Village), Anantasagaram

Mandal, Nellore District.
82 Bayanaboyina Penchalaiah(L.R.Son)L.R. & S/o.B. Narasaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
83 Bayanaboyina Chinnaiah (L.R.Son) @ Mugaiah L.R. of

S/o.B.Narasimhulu (died), R/o Somasila (Village), Anantasagaram

Mandal, Nellore District.
84 Bayanaboyina Subbamma (L.R.Daughter) L.R.' D/o. Madu

Subbaiah, (died), R/o Somasila (Village), Anantasagaram Mandal,

Nellore District.

85 Kondareddy Seshamma, (L.R. Wife) L.R. W/o. K. Narayana (died), R/o Somasila (Village), Anantasagaram Mandal, Nellore District

86 Kondareddy Ramanareddy , (L.R. Son) L.R. S/o. K.

Venkataramaiah (died), R/o Somasila (Village), Anantasagaram

Mandal, Nellore District

87 Jamanna Ramasubbamma (L.R. Wife) L.R. W/o. J. Subba Reddy

(died) R/o Somasila (Village), Anantasagaram Mandal, Nellore

District

88 Siddanna Venkataratnam Reddy, (L.R. Son) L.R. S/o. S. Yandaiah

(died) R/o Somasila (Village), Anantasagaram Mandal, Nellore

District

89 Goru Jayrami Reddy (L.R. Son) L.R. S/o. G. Venkataiah (died), R/o Somasila (Village), Anantasagaram Mandal, Nellore District

90 Bovilla Ramakka (L.R. Wife) L.R. W/o. B. Penchalaiah (died) R/o Somasila (Village), Anantasagaram Mandal, Nellore District

91 Goru Narayanamma (L.R. Wife) L.R. W/o. G.Narasimha Reddy (died) R/o Somasila (Village), Anantasagaram Mandal, Nellore District

92 Mallu Subbamma (L.R. Wife) L.R. W/o. Chinnaiah (died), R/o Somasila (Village), Anantasagaram Mandal, Nellore District

93 Nalla Gondu Mallam Kondaiah (L.R. Son) L.R. S/o. N. Kondaiah,

(died) R/o Somasila (Village), Anantasagaram Mandal, Nellore

District

94 Madu Chinakka (L.R. Wife) L.R. W/o. M. Chinna Venkata Subbaiah

(died), R/o Somasila (Village), Anantasagaram Mandal, Nellore

District

95 Nallagondu Kondareddy (L.R. Son) L.R. S/o N. Chinna Pitchi

Reddy (died), R/o Somasila (Village), Anantasagaram Mandal,

Nellore District

96 Pallem Ramanareddy (grand son) L.R. & S/o Chintam Reddy

Lingaiah (died), R/o Somasila (Village), Anantasagaram Mandal,

Nellore District

97 Chintamreddy Venkataiah (L.R. Son) L.R. & S/o Ch. Venkataiah

(died), R/o Somasila (Village), Anantasagaram Mandal, Nellore

District

98 Mummedi Rajareddy (L.R. Son) L.R. & S/o M. Subbareddy (died), R/o Somasila (Village), Anantasagaram Mandal, Nellore District

99 Nallagondu Kondalrayudu (L.R. Son) L.R. & S/o N. Pedda

Pitchireddy (died), R/o Somasila (Village), Anantasagaram

Mandal, Nellore District

100 Bellam Venkata Subba Reddy (L.R. Son) L.R. & S/o B.Nagaiah

(died), R/o Somasila (Village), Anantasagaram Mandal, Nellore

District

101 Mamidi Nagireddy (L.R. Son) L.R. & S/o M. Subbareddy (died),
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

102 Mallu Lakshmma (L.R. Daughter) L.R. & D/o Thirupalureddy, L.R.

Jammana Khader Reddy (died),
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

103 Currampati Venkataiah (L.R. Son) L.R. & S/o G. Yandaiah (died),
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

104 Mallu Nagireddy (L.R. Son) L.R. & S/o M. Chinna Narasaiah (died),
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

105 Lanka Subbamma W/o Yanadaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

106 Kommara Kameshaiah, s/o Kotaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

107 Mamidi Nagireddy (Grand son) L.R. & S/o M. Subbareddy(died),

Son L.R. of M. Nagireddy (died),
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

108 Thappeta Pedda Kondaiah, s/o Thirupaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

109 Challa Venkatamma, W/o Penchal Reddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

110 Kondareddy Chinna Subbarayudu, S/o Ramaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

111 Siddanna Audinarayana, S/o Subbaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

112 Moramreddy Rosaiah, s/o Vengaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District

113 Mallu Venkataiah, s/o.Mallaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

114 Sahik Ramthu Saheb (L.R. Brother)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

115 Vellepu Chenchamma, W/o.Santaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

116 Vallepu Venkatamma, W/o.Yandaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

117 Mallu Narasimha Reddy @ Narsimhulu,S/o.Narsaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

118 Yarri Kondaiah, S/o.Ramaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

119 Manneti Venkatreddy @ Venkataiah,S/o.Ramaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

120 Manneti Venkatreddy (L.R. younger Brother L.R. of Manneti

Chenchaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

121 Palli Venkata Rathnareddy (L.R.Son) L.R.& S/o.P.Narayana
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

122 Pturi Kondareddy, S/o.Penchalreddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

123 Matli Chinnappareddy, S/o.Narsaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

124 Yerri Konda Reddy, @ Kondaiah s/o.Kondaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
125 Mammadi Peddireddy, S/o.Chinnapareddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
126 Palle Venkata Subbareddy S/o.Venkata Subbaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
127 Madu Venkata Subbareddy, S/o.Venkata Subbaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
128 Palle Subbarayudu, S/o.Subbaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
129 Mamidi Lakshamma (L.R.Wife) L.R. & W/o.Rama Subbareddy (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
130 Lakkakula Venkata Subbaiah (L.R.Son) L.R. & S/o.L.Subbanna

(died) R/o Somasila (Village), Anantasagaram Mandal, Nellore

District.
131 Mamidi Nagi Reddy S/o.Subba Reddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
132 Puli Venkata Subbamma, W/o.Chinnaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
133 Bellam Venkata Subba Reddy, S/o.Chinna Subbaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

134 Siddanna Kondaiah, S/o.Venkataiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
135 Bellam Venkata Subbareddy (L.R.Son) L.R. & S/o.B.Chinna

Subbaiah R/o Somasila (Village), Anantasagaram Mandal, Nellore

District.
136 Mamidi Lakshmma (L.R.Wife)L.R. & W/o.Rama Subbaiah (died)
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
137 Pallem Venkataiah S/o.Obaiah,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.
138 Gurrampati Venkat Reddy S/o.Venkata Reddy,
R/o Somasila (Village), Anantasagaram Mandal, Nellore District.

..... PETITIONERS

AND

1 The Special Deputy Collector, Land Acquisition, Somasila Project, Unit

IV, Rajampet, Kadapa District.
2 The Special Collector, Land Acquisition, Teluguganga Project, Near

KVR petrol bunk, Nellore Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 1st respondent herein in not passing orders on the 28A applications filed by the

petitioners seeking redetermination of the amount of compensation on the basis of the award of the court, which have been acknowledged by the 1st respondent on 10-08-1991 in respect of their lands situated in vogue village, sidhout Talik, Gopavaram Mandal, Kadapa District, which have been acquired by the 1st respondent herein for public purpose vide award Nos.6/80, dt.03-04-1980 and 7/80 dt. 02-05-1980 as illegal, arbitrary, and violative of principles of natural justice.

Counsel for the Petitioners: MRS.S.NANDA

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following:

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ORDER:

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This writ petition is filed seeking declaration that the action of the 1st

respondent/Special Deputy Collector in not passing orders on the applications filed by the petitioners under Section 28-A of the Land Acquisition Act for re-determination of the amount of compensation on the basis of the award No.6/80, dated 03.04.1980 and award No.7/80, dated 02.05.1980 on the file of the Land Acquisition Officer, Rajampet, Kadapa District, as arbitrary and illegal.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Land Acquisition, appearing for the respondents, and on perusal of the material on record, the Writ Petition is disposed of with a direction to the 1st respondent to consider the applications of the petitioners and pass appropriate orders after verifying as to whether the applications are filed within the time and whether they have not availed the benefit of reference under Section 18 of the Land Acquisition Act. Such exercise shall be completed as expeditiously as possible, preferably within a period of three months from the date of receipt of this order. No costs.

Note:

Issue CC in two days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Special Deputy Collector,

Land Acquisition, Somasila Project,

Unit IV, Rajampet, Kadapa District

2. The Special Collector, Land Acquisition,

Teluguganga Project, near KVR Petrol Bunk,

Nellore

3. Two CCs to the Government Pleader

for Land Acquisition, High Court Buildings,

Hyderabad (OUT)

4. Two CD copies.